

EXHIBIT 18

DECLARATION OF
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Attorneys for Plaintiff
Cellulose Material Solutions, LLC

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CELLULOSE MATERIAL SOLUTIONS,
 LLC

Plaintiff,

v.

SC MARKETING GROUP, INC.,

Defendant.

CASE NO.: 3:22-cv-03141-LB

**DECLARATION OF KEVIN CHASE IN
 SUPPORT OF PLAINTIFF
 CELLULOSE MATERIAL
 SOLUTIONS, LLC'S SUPPLEMENTAL
 BRIEFING RESPECTING
 DEFENDANT'S MOTION FOR
 SUMMARY JUDGMENT OF
 INVALIDITY (Dkt. 141)**

DATE: March 28, 2024

TIME: 9:30 A.M.

PLACE: Courtroom B – 15th Floor,
 JUDGE: Hon. Laurel Beeler

DECLARATION OF KEVIN CHASE

1 I, Kevin Chase, declare as follows:

2 1. I am over eighteen (18) years of age and am the General Manager of Cellulose
3 Material Solutions, LLC “CMS”), Plaintiff in the above-captioned lawsuit. I have been
4 continuously employed by CMS since August of 2015.

5 2. I submit this Declaration in support of CMS’s supplemental briefing in relation to
6 the motion for summary judgment of Defendant SC Marketing Group, Inc., dba Thermal Shipping
7 Solutions (“TSS”). I have personal knowledge of the facts set forth herein and if called as a witness
8 could testify competently thereto.

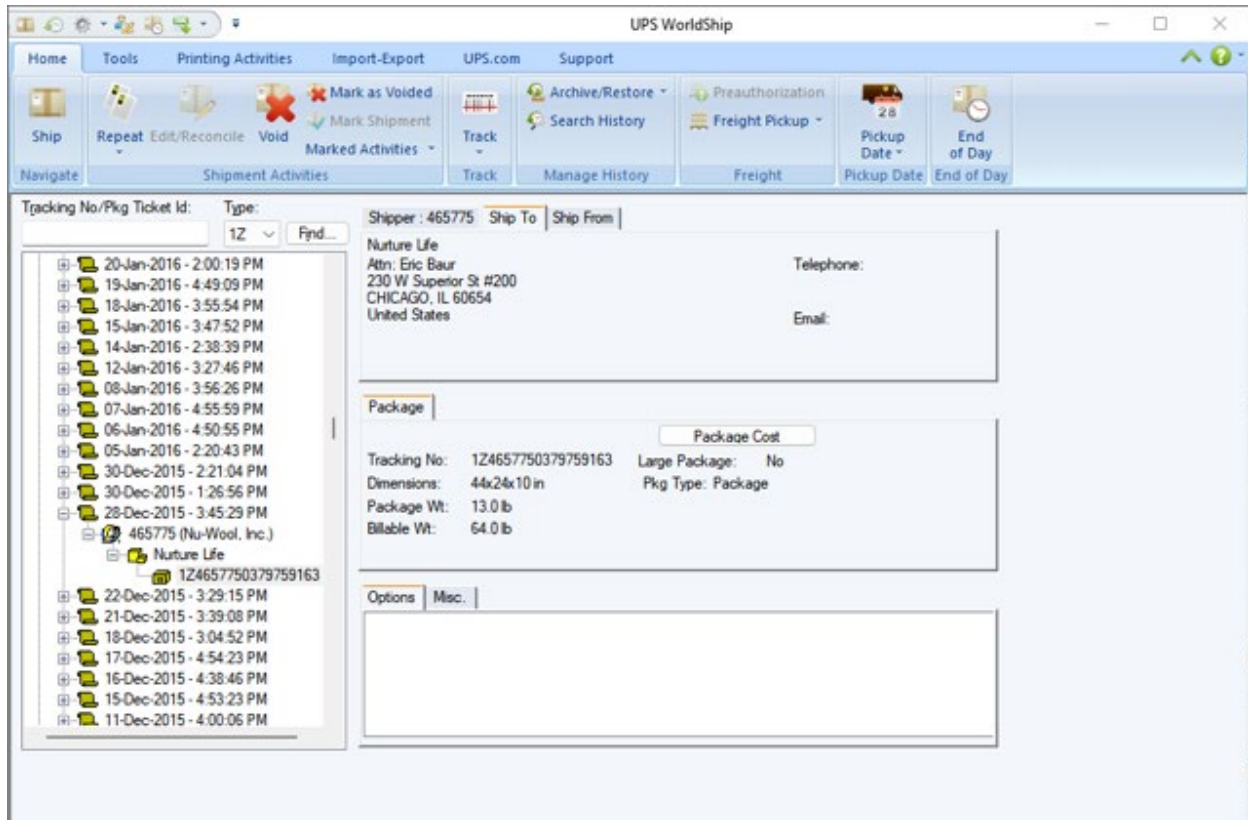
9 3. Among numerous other responsibilities as General Manager at CMS, I am involved
10 in the development and manufacture of CMS’s various products.

11 4. From the time I started my employment at CMS in August of 2015 I was engaged
12 in the ongoing development of CMS’s packaging insulation product comprising a core, or batt, of
13 100% PET fiber, with PET film on both sides of the batt. That product was already in development
14 internally at CMS at the time I joined the company.

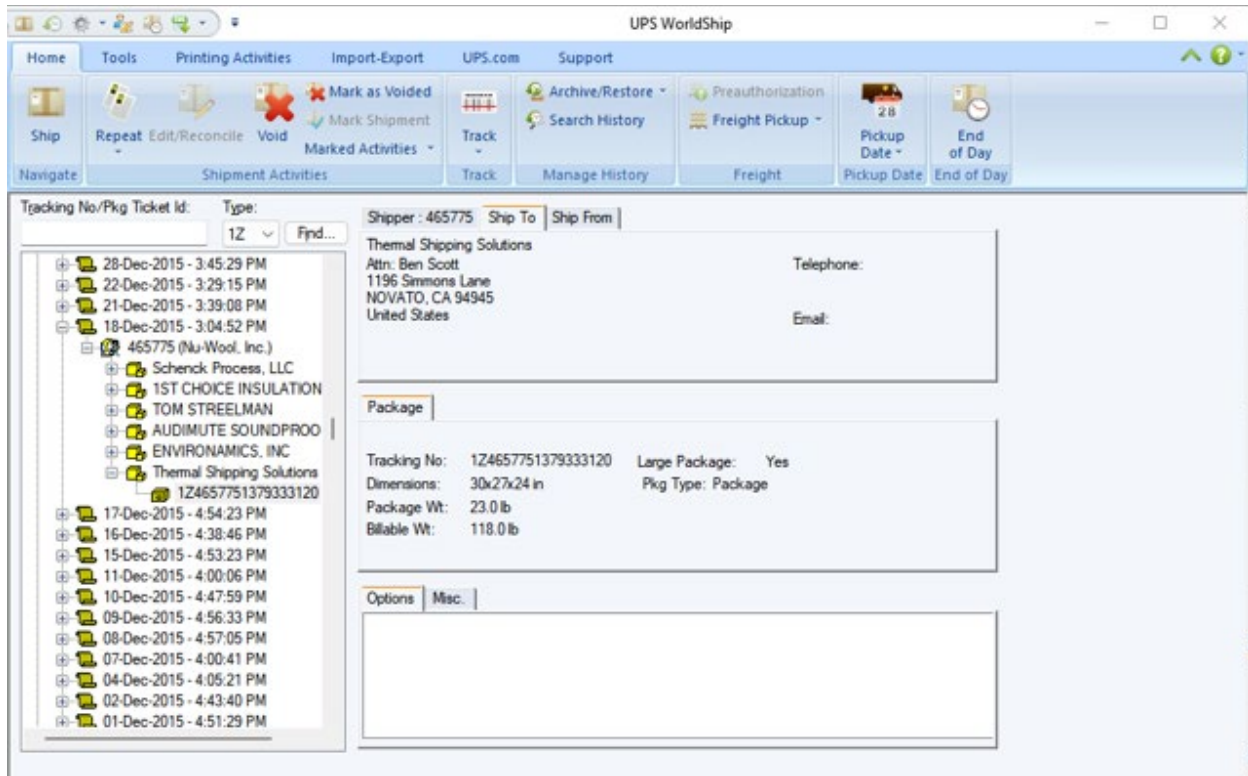
15 5. In November of 2015, I was personally involved in CMS’s testing of the
16 production-scale manufacture of CMS’s packaging insulation product comprising a core, or batt,
17 of 100% PET fiber, with PET film on both sides of the batt. The attached photograph, taken by me
18 contemporaneously with this testing, shows quantities of this finished product in CMS’s
19 manufacturing facility. *See* Exh. A (CMS00002216), attached. Samples of the product created
20 from this testing were provided to TSS before the end of 2015.

21 6. In December of 2015, I oversaw CMS’s creation of multiple samples of its
22 packaging insulation product comprising a core, or batt, of 100% PET fiber, with PET film on both
23 sides of the batt. These samples were shipped from CMS directly to third party Nurture Life in
24

December of 2015. *See* Exh. B (CMS0032635 through CMS0032640). Below is a true and correct copy of a screenshot I took from CMS's computer records evidencing the December 28, 2015, shipment details to Eric Baur at Nurture Life in Chicago, Illinois.



7. Also in December of 2015, I oversaw CMS's creation of multiple samples of its packaging insulation product comprising a core, or batt, of 100% PET fiber, with PET film on both sides of the batt. I caused these samples to be shipped to TSS, to the attention of its employee Ben Scott. *See* Exh. C (CMS002699 through CMS002700). Below is a true and correct copy screenshot I took from CMS's computer records evidencing the December 18, 2015, shipment details to Ben Scott at TSS's Novato, California location.



8. In January of 2016, I oversaw CMS's creation of multiple samples of its packaging insulation product comprising a core, or batt, of 100% PET fiber, with PET film on both sides of the batt. At the direction of Chris Benner, CMS's sales manager at the time, I caused these samples to be shipped to TSS, to the attention of its employee Ben Scott, on February 1, 2016. *See* Exh. D (CMS0015266 through CMS0015268) and Exh. E (CMS0003142). Below is a screenshot I took from CMS's computer records evidencing the February 1, 2016, shipment details to Ben Scott at TSS's Novato, California location.

Tracking No./Pkg Ticket Id	Type	Shipper	Ship To	Ship from
09-Feb-2016 - 2:56:41 PM		Thermal Shipping Solutions		
05-Feb-2016 - 3:17:23 PM		Attn: Ben Scott		Telephone
04-Feb-2016 - 4:46:21 PM		1156 Simmons Lane		
03-Feb-2016 - 4:53:32 PM		NOVATO, CA 94945		
02-Feb-2016 - 4:50:35 PM		United States		Email
01-Feb-2016 - 3:35:14 PM				
465775 (Nu-Wool, Inc.)				
Thermal Shipping Solutions		Shipment	Billing Information	
STRAATSMA ASSOCIATE		UPS Service	Ground	
29-Jan-2016 - 3:51:10 PM		Ship ID	465775QFHR3	
465775 (Nu-Wool, Inc.)				Duties and Taxes
Holly Yaehi				
28-Jan-2016 - 4:49:53 PM		Total Packages	Actual Wt. 17.0 lb	
465775 (Nu-Wool, Inc.)		Hundredweight	Billable Wt. N/A	
Bushnell Outdoor Products				
27-Jan-2016 - 4:54:52 PM				
465775 (Nu-Wool, Inc.)		Options	Misc	
TETREAUULT CONSTRUCT				
26-Jan-2016 - 4:44:13 PM				
465775 (Nu-Wool, Inc.)				
STRAATSMA ASSOCIATE				
25-Jan-2016 - 3:34:16 PM				
465775 (Nu-Wool, Inc.)				

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct; and that this declaration was completed on this 7th of March 2024 in Jenison, Michigan.

By: Kevin J Chase
Kevin Chase

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DECLARATION OF KEVIN CHASE